

INFORMATION ON EMANCIPATION IN ARIZONA

In 2005, the Arizona Legislature passed a law that permits “Minors”, persons who are at least 16, but not yet 18, to apply to be EMANCIPATED, that is, to be declared legally “an adult” responsible for their own food, housing, and medical care.

The law that permits emancipation, contained in Arizona Revised Statutes (A.R.S.) § 12-2451, imposes numerous requirements to qualify for emancipation (see the “Checklist” in this packet) and defines the rights and responsibilities of the emancipated minor.

Under this law an emancipated minor has the right to:

- enter into binding contracts
- sue – and be sued
- buy and sell real estate
- live independently
- apply for loans and go into debt
- consent to medical, dental and mental care for you and your children
- obtain your medical records
- apply for school
- obtain social services
- operate certain equipment and perform certain services

Under this law you may also have the legal duty to PAY child support if you have a child.

If the Court grants your request to be emancipated:

- Your parents will have no legal duty to provide food, housing, or medical care;
- Your parents will have no claim to your income;
- Your parents cannot be held legally responsible for your actions.

The Court will consider the following factors in deciding whether to grant your request for emancipation:

- Your wishes
- The opinion of your parents and / or legal guardians
- Your financial and employment situation and whether you can support yourself without assistance from your parents
- Your educational background and plans for education and job training for the future
- Whether you have a criminal record
- Whether you understand the rights and risks of emancipation
- Whether you have the maturity to handle your own personal, financial, and social affairs.

You will also have to submit at least ONE of these to the Court:

- Proof you have been living on your own, apart from your parents for at least 3 months. OR
- A statement explaining why the home of your parent(s) or guardian(s) is not safe or healthy. OR
- A signed, notarized consent to your emancipation from a parent or guardian.

Refer to the Checklist in this packet and to A. R. S. § 12-2451 for full details.